

Follow Up Letter
After Face to Face mtg
w/ ODEQ

≈ 5/10/10

Patrick Rosch
Engineering Manager
Enforcement Group
Oklahoma Department of Environmental Quality
PO Box 1677
Oklahoma City, OK 73101-1677

Dear Mr. Rosch:

I want to thank you and your associates for taking time to meet with me and my staff to discuss workload agreements for new drinking water regulations, Wednesday, April 28. In this letter, I summarize major areas of discussion and list specific action items and agreements under Long-Term 2 Enhanced Surface Water Treatment Rule (LT2), Stage 2 Disinfection By-Products Rule (Stage 2), and Ground Water Rule (GWR) regulations. In short, EPA Region 6 will complete early monitoring requirements of LT2 and Stage 2 regulations, EPA Region 6 and ODEQ will continue assessing GWR implementation workload implications, supporting each other as appropriate, and ODEQ will initiate adoption of all three drinking water regulations in the next State fiscal year cycle, with the possibility of introducing LT2 this legislative session.

Per State Public Water System Supervision (PWSS) program primacy requirements, I mentioned pressure being exerted by EPA Headquarters on Region 6 to have all states adopt and implement new drinking water regulations. Nationally, Oklahoma is the only state that has not adopted nor implemented LT2 and Stage 2 regulatory requirements. Recognizing resource shortfalls within ODEQ, I suggested prioritizing implementation of all rules, including increased emphasis on new drinking water regulations, for which Oklahoma public water systems are experiencing regulatory compliance difficulties. I and my staff will be happy to discuss specific program priorities with you and your associates, at a future time. Regarding new drinking water regulation workload, please see the following rule-specific discussion.

LT2

Mark McCasland provided an overview of current LT2 early implementation accomplishments. Mr. McCasland was successful in convincing EPA Headquarters to increase the E. coli trigger from 10 colonies per 100mL to 100 colonies per 100mL for small water systems to be exempt from *Cryptosporidium* monitoring. Additionally, States will be allowed to use State Revolving loan Fund (SRF) set-aside funds to support *Cryptosporidium* monitoring for surface water systems serving less than 10,000 people that are subject to this monitoring. As a result of these recent decisions, the number of small water systems subject to *Cryptosporidium* monitoring was reduced from 64 to 16, and these 16 systems will begin monitoring in July 2010, based on SRF set-aside funding availability. ODEQ will review plans and specifications, necessary to achieve these increased *Cryptosporidium*

EPA Action Items

1. Provide most recent updated spreadsheets of Stage 2 monitoring data.
COMPLETED.
2. Continue implementing early implementation aspects of LT2 & Stage 2
3. Continue implementing GWR requirements and assess workload requirements over warmer summer months
4. Provide rationale for increased monitoring requirements and accelerated submittal dates for Stage 2 monitoring plans for IDSE exempt water systems.
5. Work with ODEQ to migrate revised Stage 2 monitoring schedules at the start of transitioning primacy.

ODEQ Action Items

1. Provide timeline of State rule adoption process (e.g., Counsel review, Board review, Legislative introduction, etc.)
2. Initiate LT2 adoption in current legislative session.
3. Provide water system maps for the 636 IDSE-exempt water systems, some of which already exist under Stage 1 monitoring requirements, and the remainder potentially obtained via support from ECLS and Oklahoma Rural Water Association.
4. Initiate Stage 2 adoption in next year's legislative session.
5. Initiate GWR adoption in next year's legislative session.

Please contact me at 214-665-2297 if you have any questions or concerns with the summary I have provided in this letter. I thank you again meeting with me and my staff to address workload issues associated with new drinking water regulations, and I look forward to continuing such collaborative efforts.

Sincerely,

Blake L. Atkins
Chief
Drinking Water Section

Cc: Shellie Chard-McClary
Director, ODEQ Water Division

Miguel I. Flores
Director, EPA Region 6 Water Quality Protection Division